

REMARKS

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 3, 5, 28, 29, 49-54 and 61-66 were pending prior to the Office Action with claims 55-60 and 67-68 being withdrawn from consideration. Claims 3, 5, 51, 52, 55-62, 65, 67 and 68 have been canceled through this Reply. Therefore, claims 2, 8, 28, 29, 49, 50, 53, 54, 63, 64 and 66 are pending. Claims 49, 55 and 63 are independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Response to Notice of Non-Compliant Amendment

Applicants respectfully submit that Applicants' previous response should not have been held non-compliant for an apparent typographical error omitting claim 28 from the list of pending claims. Claim 28 was never expressly indicated as being canceled. The claims expressly canceled by Applicant were listed twice in the body of the remarks, neither list indicating claim 28. The canceled claims were likewise indicated as canceled in the claim set, whereas claim 28 was clearly present and remained pending in the submitted claim set.

The Enomoto Reference Does Not Qualify as Prior Art with Respect to the Pending Claims

The present application claims priority to Japanese Patent Application No. 8-306273, filed on November 18, 1996. The filing date of this priority document precedes the effective filing date of the Enomoto reference (U.S. Patent No. 5,974,401).

Claims 3, 5, 51, 52, 55-62, 65, 67 and 68 of the present application have been cancelled by this reply. The remaining claims are fully supported by the aforementioned Japanese priority document. The faithful English language translation of JP 8-306273 has been previously submitted by Applicants, along with a Declaration certifying the translation.

Accordingly, the Enomoto reference is disqualified as prior art with regard to the present application. Applicants respectfully request that the rejection of the claims based on Enomoto under 35 USC §103(a) be removed.

Applicants note that the cancellation of the claims through this Reply shall not be construed as acquiescence to the grounds of rejection brought forth by the Examiner and this Office Action. Applicants reserve the right to pursue any cancelled limitation in the future as part of a continuation application derived from the instant application.

CONCLUSION

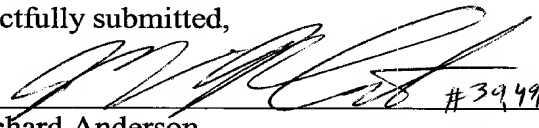
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John R. Sanders, Reg. No. 60,166 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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